

DECLARATION for PATENT APPLICATION

As the below-named inventors, We hereby declare that:

Our residences, post office addresses, and United States of America citizenships are as stated below, next to our names.

We believe that we are the first, original, and joint inventors of the subject matter which is claimed and for which a Patent is sought on the invention entitled HILLSIDE-STABLE POWERABLY-MOTIVATED LAWNMOWERS

the specification of which is attached hereto.

We hereby state that We have reviewed and understand the contents of the above identified application, including the claims as amended by any amendment referred to above.

We acknowledge a duty to disclose information which is material to the examination of this application, in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

We state that there is no foreign application for patent or inventor's certificate on which priority is claimed pursuant 37 CFR 1.55, nor any foreign application having a filing date before that of the application, on which priority is claimed, by specifying the application serial serial number, country, day, month, and year of its filing.

We hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

George R. Nimmer (Registry no. 21,004)  
1613 Farnam Street (Suite 514)  
Omaha, NE 68102  
Tel. No.: (402) 342-3077.

We pray that Letters Patent be granted to us for the invention described in the foregoing specification and claims and We hereby subscribe our names to the foregoing specification and claims, solemn declaration, power of attorney, and this petition, on the dates set out next to our signatures herebelow.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00 Inventor: Garry W. Busboom 11/13/95  
Citizenship of Inventor: United States of America Garry W. Busboom (date)  
Residence and Post Office Address of Inventor: RFD 3 (box 146A)  
Beatrice, Nebraska 68310

2-00 Inventor: John C. Crumrine 11/13/95  
Citizenship of Inventor: United States of America John C. Crumrine (date)  
Residence and Post Office Address of Inventor: 2010 Monroe Street  
Beatrice, Nebraska 68310

Applicant or Patentee: Garry W. BUSBOOM and John C. CRUMRINE  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: "HILLSIDE - STABLE POWERABLE - MOTIVATED LAWN MOWERS"



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As the named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "HILLSIDE - STABLE POWERABLE - MOTIVATED LAWN MOWERS" described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME EX MARK MANUFACTURING COMPANY, INC. (2nd block 9 Corp. W. St.)  
ADDRESS 2101 N. Highland Avenue, Baltimore, Maryland 68310  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and false oaths made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

<u>Garry W. BUSBOOM</u>	<u>John C. CRUMRINE</u>	
NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
<u>Garry W. Busboom</u>	<u>John C. Crumrine</u>	
Signature of Inventor	Signature of Inventor	Signature of Inventor
<u>11/13/95</u>	<u>11/13/95</u>	
Date	Date	Date

Applicant or Patentee: GARY W. BUSBOOM  
Filed or Issued: NOV 12 1995  
Serial or Patent No.:  
For: IDE - STABLE POWERABLY - MOTIVATED ATED LAWNMOWERS  
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16 VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
1995 (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN  
hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the <sup>concern</sup> ~~owner~~ identified below:

NAME OF CONCERN EXMARK MANUFACTURING COMPANY, INC. (Nebraska corp.)  
ADDRESS OF CONCERN 2101 Ashland Avenue  
Beatrice, Nebraska 68310

hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purpose of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 50 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties control or has the power to control both.

hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "WALKSIDE-STABLE POWERABLY-MOTIVATED LAWNMOWERS" by inventor GARY W. BUSBOOM, et al

described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and the rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

H. John Smith, President of EXMARK MANUFACTURING COMPANY, INC. (Nebraska Corporation)  
NAME OF PERSON SIGNING \_\_\_\_\_  
TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_  
ADDRESS OF PERSON SIGNING RFD - 4 (Box 140), Beatrice, NE 68310

SIGNATURE H. J. Smith DATE 11/10/95